

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
AUG 22 10 45 AM '75
CLERK COURT
U.S. DISTRICT COURT
NORTHERN DISTRICT
OF OHIO

JOSIE JAIMES, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	Civil No. C74-68
)	
Toledo Metropolitan Housing)	
Authority, et al.,)	<u>MEMORANDUM and ORDER</u>
)	
Defendants.)	

YOUNG, J:

This cause came to be heard upon the motion of the plaintiffs to alter or amend judgment. The defendant TMHA has replied thereto. The action was heard upon a motion for a preliminary injunction on March 31, 1975 at which the parties presented evidence by testimony and stipulation. The Court in a Memorandum and Order filed April 9, 1975 denied plaintiffs' request for a preliminary injunction to prohibit TMHA from advertising for bids for units of conventional public housing currently under reservation from HUD for the City of Toledo.

The plaintiffs by their present motion have added little to the arguments before the Court at the time the motion for a preliminary injunction was determined. While the plaintiffs have called attention to §8(h) of the Housing and Community Development Act of 1974 and contend that it will effectively eliminate the requirement of cooperation agreements, the Court again points out that the new law has other provisions for dispersing low-income housing throughout an entire metropolitan area, including §8 housing. 24 C.F.R. §1273.103(j), 39 Fed. Reg. 45173 (Dec. 30, 1974).

The Court finds that plaintiffs have not presented any additional bases which would cause the Court to change the decision reached in the Memorandum and Order filed April 9th.

51

- 2 -

The Court will therefore deny the plaintiffs' motion to alter or amend judgment.

Also currently pending is a motion by the Toledo Public Schools to file a memorandum amicus curiae. The motion and lodged memorandum were filed the same day as the Court's Memorandum and Order to which they were addressed. However, the Court will permit them to be filed.

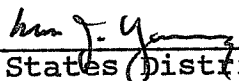
For the reasons stated herein, good cause therefore appearing, it is

ORDERED that the motion of the Toledo Public Schools to file a brief amicus curiae should be and hereby is granted, and it is

FURTHER ORDERED that the Clerk of this Court file the brief of the Toledo Public Schools which was lodged April 9, 1975, and it is

FURTHER ORDERED that the motion of the plaintiffs to amend or alter judgment should be and hereby is denied.

IT IS SO ORDERED:


United States District Judge

Toledo, Ohio